

REMARKS

The applicants have filed a Request for Continued Examination in order to have the Examiner reconsider the Section 103(a) rejection of the applicants' claims on the basis of the amendments made herein to claims 1, 9 and 14 and the accompanying declaration.

More specifically, claim 1 has been amended to specify that the protected hydroxypolyC₂₋₄ alkyleneoxy chain is attached to a polymerizable unit "capable of free radical polymerization". Claim 9 has also been amended to call for "free radical" polymerization and claim 14 has been amended for consistency with claims 1 and 9.

The amendments to claims 1, 9 and 14 are responsive to the Examiner's comment in the Office Action that the applicants' claims were not restricted to free radical polymerization. The amendments are consistent with claim 2 which is specific to styrene-type monomers which are well-known to be polymerizable by free radical polymerization. Support for the amendments is found throughout the applicants' disclosure. See, for example, page 7, lines 27-30 of the specification.

The Examiner is respectfully requested to reconsider the Section 103(a) rejection of claims 1-5, 7-14 and 16-19 as unpatentable over WO 00/02953 ("Avecia") in view of Greene et al. The above-noted amendments made to applicants' main claims 1, 9 and 14 serve to underscore the unobviousness of the applicants' invention as previously brought out. See pages 6-7 of applicants' response of March 5, 2007. In brief, the applicants submit that the skilled person reading the Avecia disclosure would not contemplate the employment of poly(aryl) methane protecting groups in combination with free radical polymerization.

In support of the applicants' position, and in response to the Examiner's statement that the applicants' previous arguments need to be supported by an appropriate declaration (bridging pages 6-7 of the Examiner's action), there is attached the Declaration of Dr. Kuchimanchi. This declaration speaks for itself and does not appear to need any detailed comment.

In brief, the declaration confirms the applicants' point that it is not obvious from the prior art to use poly(aryl) methane groups, such as trityl, as protecting groups for monomers to be polymerized by free radical polymerization. The declarant details the basis for this conclusion in ¶ 6 of the declaration and notes in conclusion that:


"Accordingly, it is my opinion that the skilled person would not contemplate the employment of poly(aryl)methane protecting groups under conditions suited to the generation of electron deficient species, based on the teaching of WO00/02953, out of concern that such groups would not remain attached to provide the required protective action under the polymerization conditions taught by the WO disclosure."

In view of the foregoing comments and the accompanying declaration, the applicants submit that the Examiner's Section 103(a) rejection of the claims should be withdrawn and the claims allowed. In this regard, it is noted that the Greene et al. reference does not fill in the fundamental deficiencies noted with respect to the Avecia reference (WO 00/02953).

Favorable action is requested.

Respectfully submitted,

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